



CHEMTRON

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Copy - Original CBI

APR 08 2001

BY AIRBORNE EXPRESS
AIR BILL NO. 7808765532

APR 08 2001

April 6, 2001

Deena Sheppard-Johnson
U.S. Environmental Protection Agency
77 West Jackson Boulevard (SR-6J)
Chicago, IL 60604-3590



In re: The Chemical Recovery Systems Site, Elyria, Ohio ("CRS Site")
Response to USEPA's General Notice of Potential Liability and Request for Information
dated March 2, 2001 ("Notice")

Dear Ms. Sheppard-Johnson:

Please accept this letter as Chemtron Corporation's timely response to the General Notice of Potential Liability and Request for Information referenced above.

The CRS Site history in Attachment 1 of the Notice describes the operations that occurred at the CRS Site from the 1940's through 1981. Chemtron's current owners took control over Chemtron's operations on or about October 1, 1980. The alleged shipments sent by Chemtron to the CRS Site occurred prior to the current owners' tenure at Chemtron.

In response to the Questions in the Notice, please find the following:

1. *Identify all persons consulted in the preparation of the answers to these questions.*

Ronald J. Guenther, President, Chemtron Corporation
Karl Guenther, Vice President of Remedial Services, Chemtron Corporation
Richard M. Timm, Jr., General Counsel, Chemtron Corporation

2. *Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions and provide copies of all such documents.*

"Dirty inventory" supplied by USEPA on March 14, 2001.

3. *If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons.*

Anthony and Elizabeth LaPonza; owned Chemtron Corporation prior to October 1980; last known address is 4179 Canterbury Road, North Olmsted, Ohio 44070.

4. *List the EPA Identification Numbers of the Respondent.*

OHD066060609

5. *Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom at the CRS Site.*

Chemtron has no knowledge of any information relative to this request.

6. *Identify all persons including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site (operating as Obitts Chemical Company or Chemical Recovery Systems, Inc., at 142 Locust Street, Elyria, Ohio).*

Chemtron has no knowledge of any information relative to this request.

7. *Describe all arrangements that Respondent may have or may have had with each of the following companies and persons:*

- a) *Obitts Chemical Company*
None
- b) *Russell Obitts*
None
- c) *Chemical Recovery Systems, Inc.*
None

- d) *Peter Shagena*
None
- e) *James Freeman*
Chemtron Corporation currently provides waste disposal services for Freeman Environmental, 13920 West Lake Road, Vermillion, Ohio 44089. Freeman Environmental is owned in whole or in part by James Freeman.
- f) *James "Jim" Jackson*
None
- g) *Donald Matthews*
None
- h) *Bob Spears*
None
- i) *Bill Bromley*
None
- j) *Carol Oliver*
None
- k) *Nolwood Chemical Company, Inc.*
None
- l) *Art Mcwood*
None
- m) *Chuck Nolton*
None
- n) *Michigan Recovery System, Inc.*
None
- o) *Chemical Recovery Systems of Michigan*
None

8. Set forth the dates during which the Respondent engaged in any of the following activities:

a) generation of hazardous materials which were sent to the CRS Site;

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any information relative to this request.

b) transportation of any material to the CRS Site.

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any information relative to this request.

9. *Identify all persons, including yourself, who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of materials, including, but not limited to, hazardous substances, at the CRS Site. In addition, identify the following:*

a) The persons with whom you or such other persons made such arrangements;

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

b) Every date on which such arrangements took place;

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

c) For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

d) The owner of the materials or hazardous substances so accepted or transported;

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron

has no knowledge of any information relative to this request.

- e) *The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- f) *All tests, analyses, and analytical results concerning the materials;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- g) *The person(s) who selected the CRS Site as the place to which the materials or hazardous substances were to be transported;*

Not applicable. Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- h) *The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- i) *Where the person identified in g., above, intended to have such hazardous substances or materials transported and all evidence of this intent;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- j) *Whether the materials or hazardous substances involved in each transaction were*

transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- k) What was actually done to the materials or hazardous substances once they were brought to the CRS Site;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

According to conversation with USEPA, it is Chemtron's understanding that materials that Chemtron allegedly shipped to the CRS Site were shipped off to another site. It is Chemtron's belief that no materials would have actually been "released" on the CRS Site from Chemtron.

- l) The final disposition of each of the materials or hazardous substances involved in such transactions;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance involved in each transaction;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- n) The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the CRS Site, and all markings on such containers;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- o) The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- p) All documents containing information responsive to a - o above, or in lieu of identification of all relevant documents, provide copies of all such documents;*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

- q) All persons with knowledge, information, documents responsive to a - p above.*

Except for the "dirty inventory" supplied by USEPA on March 14, 2001, Chemtron has no knowledge of any arranging for disposal or treatment, or arranging for transportation for disposal or treatment, materials, including, but not limited to, hazardous substances, at the CRS Site.

10. *Identify all liability insurance policies held by Respondent from 1960 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.*

Chemtron has continually maintained insurance policies during the current ownership (since October 1980). Chemtron's current insurance policies include pollution liability coverage. Chemtron is working with its insurance agent to provide a complete response to this question and will forward additional documents under separate cover. Chemtron has not made any environmental claim at least since 1980.

Chemtron is including insurance information for the following periods:

5/1/85 to 5/1/86;
5/1/89 to 5/1/90;
5/1/90 to 5/1/91;
5/1/91 to 5/1/92;
1/1/97 to 1/1/98;
1/1/98 to 1/1/99;
1/1/99 to 1/1/00;
1/1/00 to 1/1/01; and
1/1/01 to 1/1/02.

11. *Provide copies of all income tax returns, including all supporting schedules, sent to the Federal Internal Revenue Service in the last five years.*

Chemtron has enclosed relative documents for the tax years 1998, 1999, and 2000 and will forward documents for 1996 and 1997 under separate cover. **Chemtron Corp. asserts a claim of business confidentiality for all tax returns, all supporting schedules and all supporting documents pursuant to 40 C.F.R Part 2, Subpart B.**

12. *If Respondent is a Corporation, respond to the following requests:*

- a) *Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.*

See enclosed documents. Please note that Chemtron Corporation is officially: "RJG Enterprises, Inc. d/b/a Chemtron Corporation."

- b) *Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.*

See enclosed Balance Sheets and Statement of Income prepared by the accounting firm of Levy, Black & Sneiderman Co. for the calendar years 1999, 1998, 1997, and 1996. The accounting firm has not finished the balance sheets and statement of income for 2000 yet. **Chemtron Corp. asserts a claim of business confidentiality for the entire contents of these Balance Sheets and Statement of Income pursuant to 40 C.F.R Part 2, Subpart B.**

- c) *Identify all of Respondent's current assets and liabilities and the person(s) who currently own(s) or is (are) responsible for such assets and liabilities.*

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April 6, 2001
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See documents responsive to Question 12(b) and its assertion of business confidentiality.

d) *Identify the Parent Corporation and all Subsidiaries of the Respondent.*

Chemtron Chemtron has no Parent Corporation nor any Subsidiaries.

13. *If Respondent is a Partnership, respond to the following requests (requests omitted):*

Chemtron is not a Partnership.

14. *If Respondent is a Trust, respond to the following requests (requests omitted):*

Chemtron is not a Trust.

If you have any questions or need additional information, please contact me at 440-871-8048 for Chemtron's full cooperation.

Sincerely,



Richard M. Timm, Jr.
Chemtron Corporation
General Counsel

Enclosures



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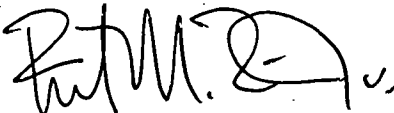
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